



COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT

Tentative Notice of Action

Promoting the wise use of land
Helping build great communities

MEETING DATE May 6, 2005 EFFECTIVE DATE May 20, 2005	CONTACT/PHONE Stephanie Fuhs (805) 781-5721	APPLICANT Matthew Carinio	FILE NO. DRC 2004-00068
SUBJECT Hearing to consider a Request by Matthew Carinio for a Minor Use Permit to allow construction of a 4,545 square foot single family residence with attached 970 square foot garage on Lot 16 of the Emerald Hills Subdivision (Tract 1875). The project will result in the disturbance of approximately 10,279 cubic yards of a 2.2 acre parcel. The proposed project is within the Residential Suburban land use category and is located at 1875 Diablo Drive, approximately 1,000 feet west of Los Osos Valley Road, northwest of the City of San Luis Obispo, in the San Luis Obispo Planning Area			
RECOMMENDED ACTION Approve Minor Use Permit DRC 2004-00068 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
ENVIRONMENTAL DETERMINATION The project was found to be consistent with the Environmental Impact Report that was prepared for Tract 1875.			
LAND USE CATEGORY Residential Suburban	COMBINING DESIGNATION Sensitive Resource Area	ASSESSOR PARCEL NUMBER 067,220,016	SUPERVISOR DISTRICT(S) 3
PLANNING AREA STANDARDS: None applicable <i>Does the project meet applicable Planning Area Standards:</i> Not applicable			
LAND USE ORDINANCE STANDARDS: Site Design Standards of Chapter 22.10, except as superceded by environmental mitigation established with the approval of Tract 1875. <i>Does the project conform to the Land Use Ordinance Standards:</i> Yes - see discussion			
FINAL ACTION This tentative decision will become final action on the project, effective on the 15 th day following the administrative hearing, or on May 20, 2005, if no hearing was requested unless this decision is changed as a result of information obtained at the hearing or is appealed.			
EXISTING USES: Undeveloped			
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Residential Suburban/Residences <i>South:</i> Residential Suburban/Residences <i>East:</i> Residential Suburban/Residences <i>West:</i> Residential Suburban/Residences			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242			

OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Environmental Health, CDF, City of San Luis Obispo	
TOPOGRAPHY: Gently to moderately sloping	VEGETATION: Grasses, shrubs
PROPOSED SERVICES: Water supply: Community system Sewage Disposal: Individual septic system Fire Protection: CDF	ACCEPTANCE DATE: February 4, 2005

DISCUSSION

The subject property is located in Tract 1875, Lot 16. This subdivision had conditions of approval for future development including Minor Use Permit approval for each residence.

Other conditions of the subdivision with regard to Minor Use Permit approval include submittal of a grading plan, landscaping plan and a height restriction of 22 feet, with the ability to have a height limit of 25 feet for those lots that are determined to not be visible from Los Osos Valley Road with the approval of the Minor Use Permit. As proposed and conditioned, the residence complies with all of the conditions of Tract 1875.

AGENCY REVIEW:

Public Works: No concerns
Environmental Health – Connect to Irish Hills Mutual Water Company, siting of septic system should strictly follow location on the subdivision map
CDF: See attached fire safety plan
City of San Luis Obispo: No comment

LEGAL LOT STATUS:

The one lot was legally created by a recorded map at a time when that was a legal method of creating lots.

Staff report prepared by Stephanie Fuhs
and reviewed by Kami Griffin, Supervising Planner

EXHIBIT A - FINDINGS

Environmental Determination

- A. The Hearing Officer considered and relied on the previously adopted Environmental Impact Report (EIR) which is adequate for the purposes of compliance with CEQA because no substantial changes are proposed in the project which will require major revision of the previous EIR, no substantial changes occur with respect to the circumstance under which the project is undertaken which will require major revision of the previous EIR, and no new information of substantial importance has been identified which was not known at the time that the previous EIR was adopted.

Minor Use Permit

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies.
- C. As conditioned, the proposed project satisfies all applicable provisions of Title 22 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the single family residence does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the single family residence is similar to the surrounding residences that are developed within this subdivision, and will not conflict with the surrounding lands and uses.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project is located on Diablo Drive, a local road constructed to a level able to handle any additional traffic associated with the project.

Sensitive Resource Area

- G. The development will not create significant adverse effects on the natural features of the site or vicinity that were the basis for the Sensitive Resource Area designation, and will preserve and protect such features through the site design, because the primary reason for the Sensitive Resource Area designation for this site are visual and conditions were added to the original subdivision which limited the height of proposed structures as well as the requirement for approval of Minor Use Permits to review colors and materials of proposed structures.

- H. Natural features and topography have been considered in the design and siting of all proposed physical improvements because they are reducing grading somewhat by use of retaining walls.
- I. The proposed clearing of topsoil, trees, is the minimum necessary to achieve safe and convenient access and siting of proposed structures, and will not create significant adverse effects on the identified sensitive resource, because as stated previously, visual resources are the primary concern on the project site. By limiting the height and requiring darker natural colors for the proposed residence, visual resources have been addressed to the greatest extent feasible considering the size of the proposed residence.
- J. The soil and subsoil conditions are suitable for any proposed excavation and site preparation and drainage improvements have been designed to prevent soil erosion, and sedimentation of streams through undue surface runoff, because a drainage and sedimentation and erosion control plan are required as conditions of approval prior to issuance of construction permits to ensure negative impacts of the proposed development are addressed.

EXHIBIT B - CONDITIONS OF APPROVAL

These are a bare bones starting point

Approved Development

1. This approval authorizes
 - a. construction of a 4,545 square foot single family residence with attached 970 square foot garage on Lot 16 of the Emerald Hills Subdivision (Tract 1875).
 - b. maximum height is 25 feet from average natural grade.

Conditions required to be completed at the time of application for construction permits

Site Development

2. **At the time of application for construction permits**, submit a revised architectural elevations showing a maximum building height of 25 feet.
3. **At the time of application for construction permits**, the applicant shall provide details on any proposed exterior lighting, if applicable. The details shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp or the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark colored.

Fire Safety

4. **At the time of application for construction permits**, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code. Requirements shall include, but not be limited to those outlined in the Fire Safety Plan, prepared by the CDF/County Fire Department for this proposed project and dated November 22, 2004.

Services

5. **At the time of application for construction permits**, the applicant shall provide a letter from Irish Hills Mutual Water Company stating they are willing and able to service the property.
6. **At the time of application for construction permits**, the applicant shall submit evidence that a septic system, adequate to serve the proposal, can be installed on the site.

Conditions to be completed prior to issuance of a construction permit

Fees

7. **Prior to issuance of a construction permit**, the applicant shall pay all applicable school and public facilities fees.

Conditions to be completed prior to roof nailing inspection

Height Limit

8. **Prior to roof nailing inspection**, the applicant shall provide a certificate from a registered land surveyor or licensed civil engineer that the structure does not exceed the approved building height.

Conditions to be completed prior to occupancy or final building inspection /establishment of the use

9. Landscaping in accordance with the approved landscaping plan shall be installed or bonded for **before final building inspection**. If bonded for, landscaping shall be installed within 60 days after final building. All landscaping shall be maintained in a viable condition in perpetuity.
10. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection and approval from CDF of all required fire/life safety measures.
11. **Prior to occupancy of any structure associated with this approval**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.

On-going conditions of approval (valid for the life of the project)

12. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 22.64.070 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 22.64.080 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
13. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 22.74.160 of the Land Use Ordinance.

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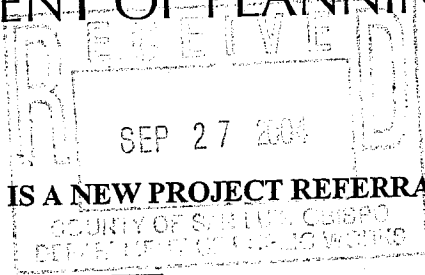
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SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL



DATE:

9/27/04
PW

FROM

FROM
75

South Co. Team
(Please direct response to the above)

CARINIO

DRC 2004-00068 (mup)
Project Name and Number

Development Review Section (Phone: 781-788-2009) ()

PROJECT DESCRIPTION: MUP - STR W/ ATTACHED GARAGE - LOT
16, Diablo Drive S.D. APN: 067-220-016

Return this letter with your comments attached no later than:

10/12/04

PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☒ YES
☐ NO

(Please go on to Part II)

(Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☒ NO
☐ YES

(Please go on to Part III)

(Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

Recommend Approval - No Comments

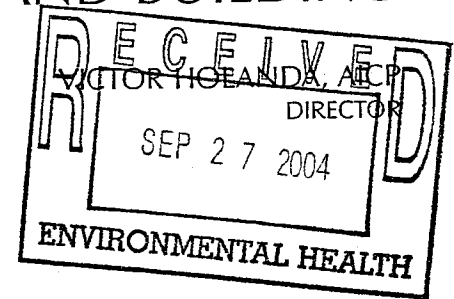
15 Oct 2004
Date

Goodwin
Name

5252
Phone



7
ML
SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING



THIS IS A NEW PROJECT REFERRAL

DATE: 9/27/04
TO: Env. Health
FROM: South Co. Team
(Please direct response to the above)

CARINIO
DRC 2004-00068 (mup)
Project Name and Number

Development Review Section (Phone: 781- 788-2009) ()

PROJECT DESCRIPTION: MUP - SFR W/ ATTACHED GARAGE - LOT
16, Diablo Drive S.D. APN: 067-220-016

Return this letter with your comments attached no later than: 10/12/04

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?
 YES (Please go on to Part II)
 NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?
 NO (Please go on to Part III)
 YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

SFR should be connected to Irish Hills Mutual Water
Company. Siting of the on-site septic system should
be a top priority, and strictly follow the location proposed
by the subdivision map.

9/28/04 Lauri Salo 781-5351
Date Name Phone



CDF/San Luis Obispo County
Fire Department

635 N. Santa Rosa • San Luis Obispo • California, 93405

IMU

RECEIVED
DEC 03 2004
Planning & Bldg

November 22, 2004

County of San Luis Obispo
Department of Planning/Building
County Government Center
San Luis Obispo, CA 93408

Dear South County Team,

MINOR USE PLANS PLAN

Name: Carinio Project Number: DRC 2004-00069

The Department has reviewed the minor use plans submitted for the proposed single family residence project located at Diablo Dr., San Luis Obispo. The property is located within moderate fire hazard severity area, and will require a minimum 8-10 minute response time from the nearest County Fire Station.

The owner of the project shall meet the minimum fire and life safety requirements of the California Fire Code (1998 edition) with amendments. This fire safety plan shall remain on the project site until final inspection. The following standards are required:

ROOF COVERINGS

All new structures within "moderate" fire severity zones shall have a minimum of at least a Class C roof covering.

FIRE EXTINGUISHING SYSTEM

- The proposed project is required to install a residential fire/life safety sprinkler system.
- The automatic fire extinguishing system shall comply with National Fire Protection Association Pamphlet 13D.
- Plans shall be submitted for review and approval to the County Building Department.
- The Contractor shall be licensed by the State of California [CFC 1003.1.1 amended/Title 19, Section 19.20.029 (a)].

COMMUNITY WATER SYSTEM

- Emergency water supplies shall meet the minimum fire flow requirements as identified in the California Uniform Fire Code, Section 903.1, 903.2, 903.3 and 903.4 as amended, and in Appendix III-A.
- The proposed project shall provide a minimum 1000 gallons of water per minute for 120 minutes.
- The minimum water main size shall not be less than six (6) inches.
- Pressures may not be less than 20 psi, nor more than 150 psi (Appendix IIIA).

ACCESS

Access road width shall be 18 feet.
Driveway width shall be 10 feet.
All road and driveway surfaces shall be all weather.
All surfaces shall be constructed to meet a load capacity of 20 tons.
Any grade exceeding 12% shall be a non-skid surface.

ADDRESSING

Legible address numbers shall be placed on all residences.
Legible address numbers shall be located at the driveway entrance.

VEGETATION CLEARANCE

To provide safety and defensible space the following shall be required:
To each side of roads and driveways a 10-foot fuelbreak shall be provided.

CONSERVATION IS WISE-KEEP CALIFORNIA GREEN AND GOLDEN

PLEASE REMEMBER TO CONSERVE ENERGY. FOR TIPS AND INFORMATION, VISIT "FLEX YOUR POWER" AT WWW.CA.GOV.

Maintain around all structures a 30-foot firebreak.

➤ This does not apply to landscaped areas and plants.

Remove any part of a tree that is within 10 feet of a chimney outlet.

Maintain any tree adjacent to or overhanging any building free of deadwood.

Maintain the roof of any structure free of leaves, needles or other dead vegetative growth.

FINAL INSPECTION

The project will require final inspection. **Please allow five (5) working days for final inspection.** When the safety requirements have been completed, **call Fire Prevention at (805) 543-4244, extension 2220**, to arrange for a final inspection. Currently Southern San Luis Obispo County inspections occur on Tuesdays and North County inspections occur on Thursdays.

Further information may be obtained from our website located at www.cdfslo.org ~ Planning and Engineering section. If we can provide additional information or assistance, please call (805) 543-4244.

Sincerely,

Gilbert R. Portillo
Fire Inspector

C: Mr. Matt Carinio, owner
Mr. Scott Jay Smaby, agent



1 ML

CD Ref 29-04
DEPARTMENT OF PLANNING AND BUILDING

Jeff 7
SAN LUIS OBISPO COUNTY

VICTOR HOLANDA, AICP
DIRECTOR
SEP 27 2004
COMMUNITY DEVELOPMENT

THIS IS A NEW PROJECT REFERRAL

DATE: 9/24/04
TO: City of SLO
FROM: South Co. Team
(Please direct response to the above)

CARINIO
DRC 2004-00069 / Variance
Project Name and Number

Development Review Section (Phone: 781-788-2009)

PROJECT DESCRIPTION: Variance to waive height restriction for SFD. off Via Laguna Vista in SLO, on 2.22 Acres. APN 067-220-06. Emerald Hills, TR 1875. See info.

Return this letter with your comments attached no later than: 10/11/04

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?
YES (Please go on to Part II)
NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?
NO (Please go on to Part III)
YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

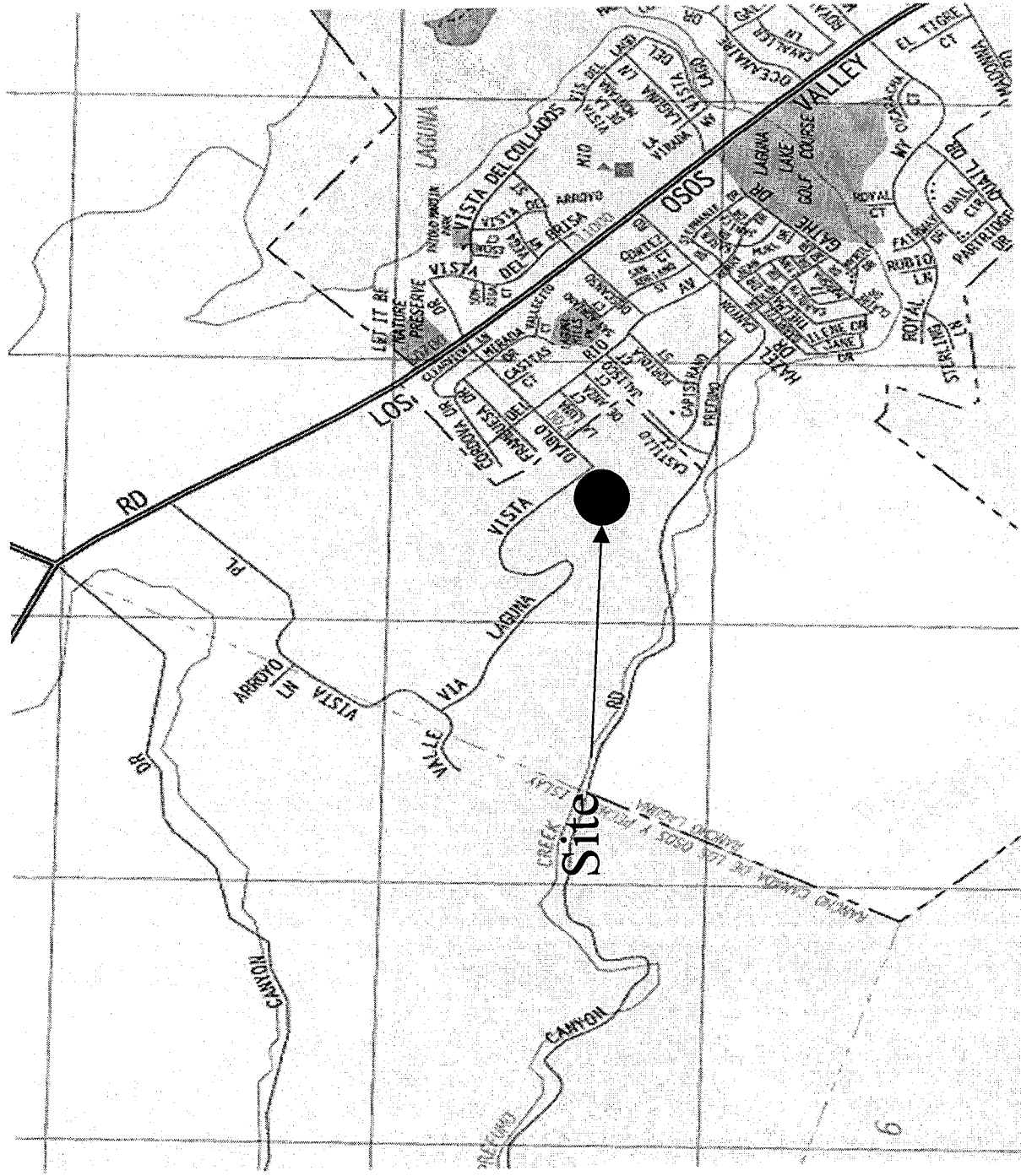
PART III INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

NO COMMENT

10-11-04
Date

Jeff Hook
Name

(805) 781-7176
Phone



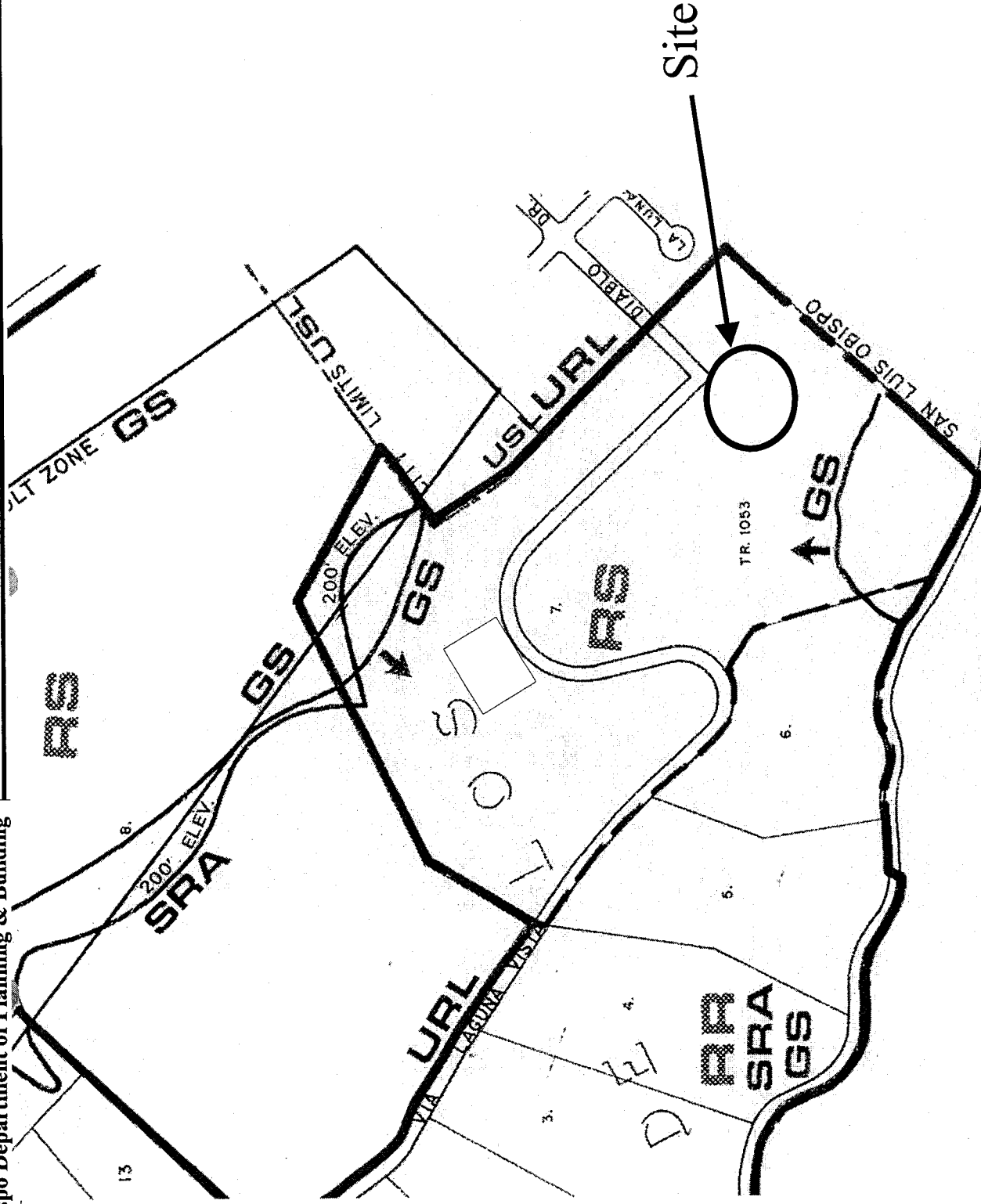
Exhibit

VICINITY MAP



Project
Carinio Minor Use Permit

DRC 2004-00068

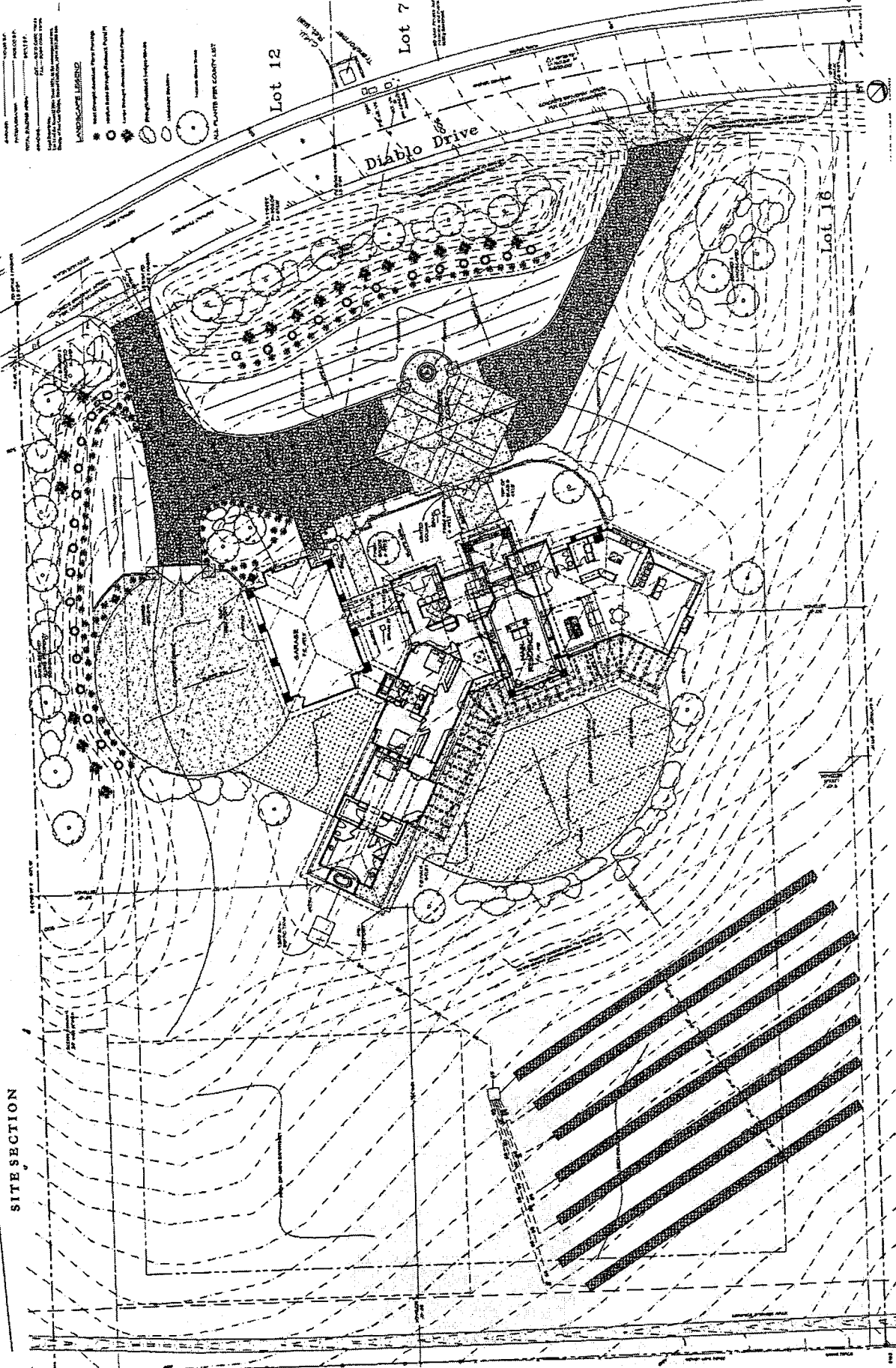


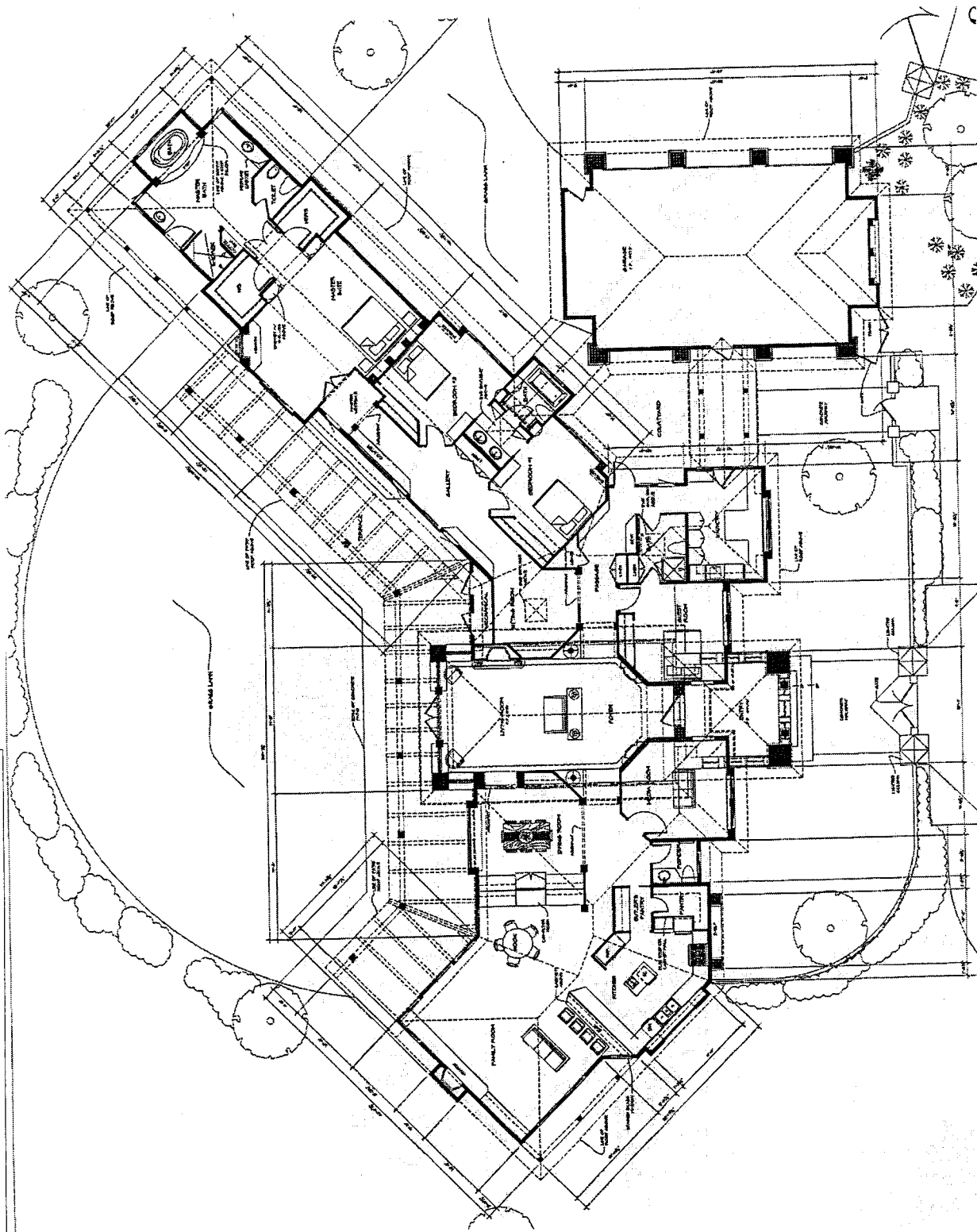
Exhibit

Land Use Category Map

Project
Carinio Minor Use Permit

DRC2004-00068





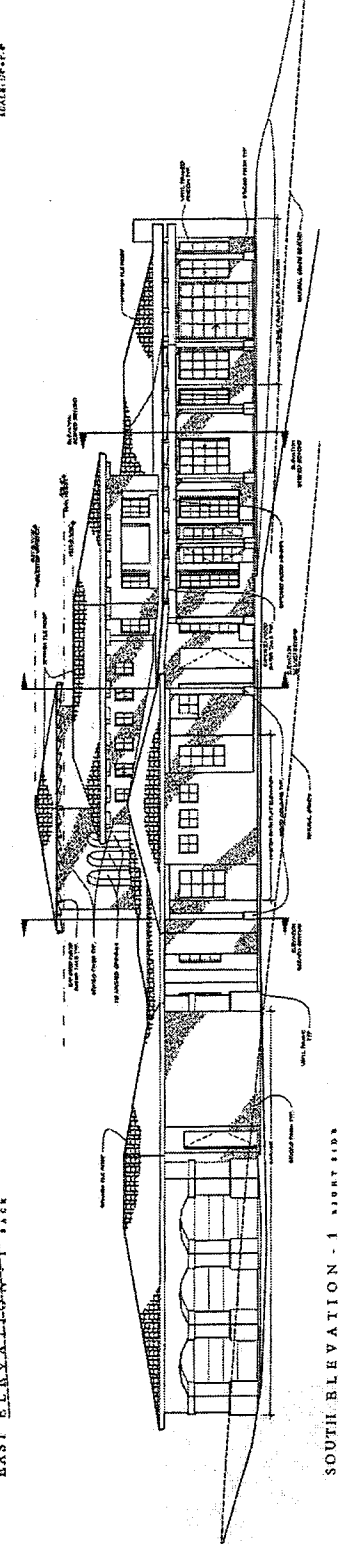
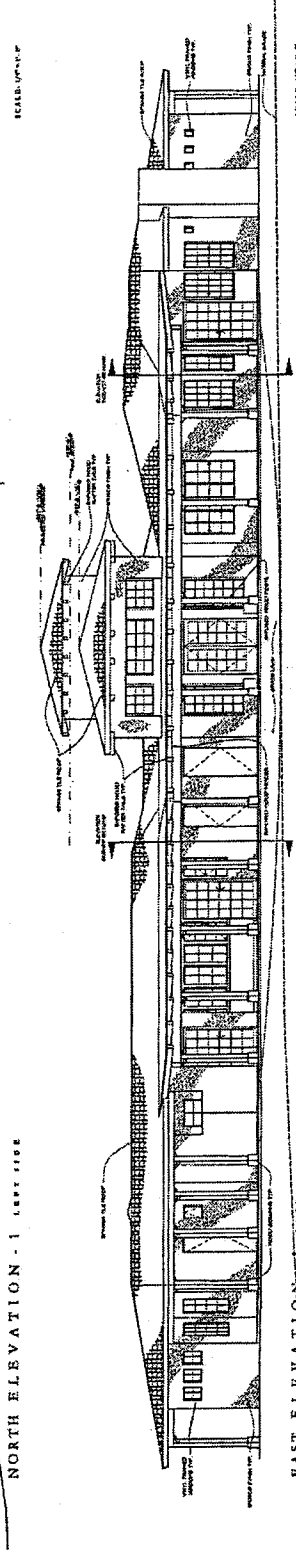
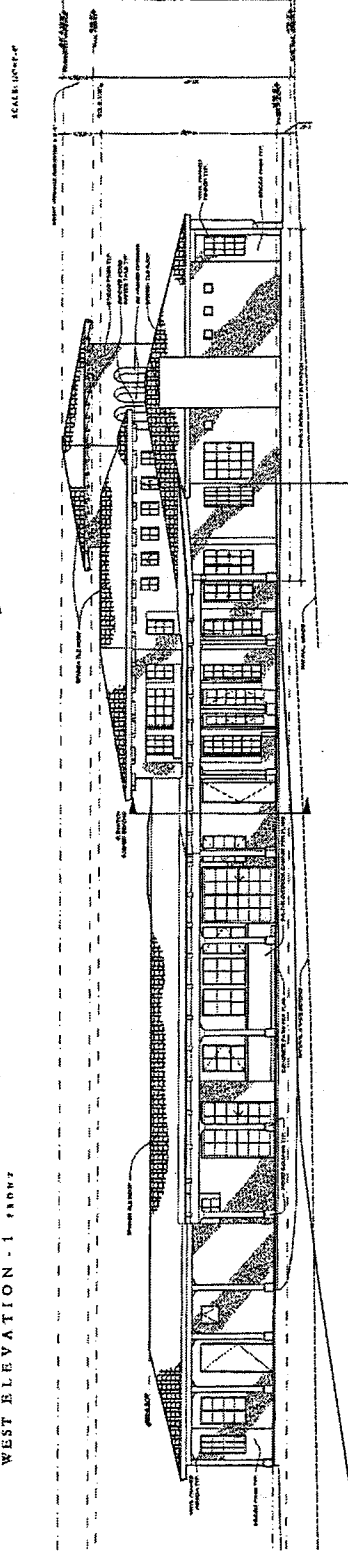
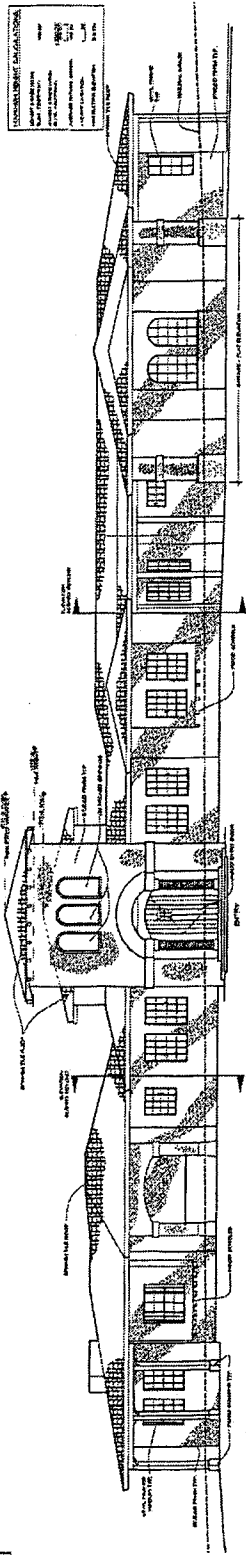


Exhibit Elevations

Project
Carinio Minor Use Permit
DRC 2004-00068